



Entered on Docket
October 07, 2011

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Fourth Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Part Upon Investment In
The Castaic Partners III Loan**

Hearing Date: September 30, 2011
Hearing Time: 9:30 a.m.

The Court having considered the “Fourth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Castaic Partners III Loan.” (“Castaic Partners III Loan”) [DE 8849] (the “Objection”); the Court having heard the Objection on September 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders’ right

1 to repayment by the borrower or from the collateral securing the Castaic Partners III Loan;
2 and good cause appearing:

3 **IT IS ORDERED** that:

4 1. The Objection [DE 8849] is sustained; and
5 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
6 claims are based upon an investment in the Castaic Partners III Loan.

7
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

11 By /s/ John Hinderaker (AZ #018024)

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13 John Hinderaker (*pro hac vice*)

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1 LOCAL RULE 9021 CERTIFICATION

2 In accordance with LR 9021, counsel submitting this document certifies that the order
3 accurately reflects the court's ruling and that (check one):

4 _____ This Court has waived the requirement set forth in LR 9021(b)(1).

5 XXX No party appeared at the hearing or filed an objection to the motion.6 _____ I have delivered a copy of this proposed order to all counsel who
7 appeared at the hearing, and any unrepresented parties who appeared
8 at the hearing, and each has approved or disapproved the order, or
9 failed to respond, as indicated below [list each party and whether the
document]:

10 Counsel appearing: _____

11 _____ I certify that this is a case under Chapter 7 or 13, that I have served a
12 copy of this order with the motion pursuant to LR 9014(g), and that
no party has objected to the form or content of the order

14 U.S. Trustee: _____	
15 <input type="checkbox"/> approved the form of this order	_____ <input type="checkbox"/> disapproved the form of this order
16 <input checked="" type="checkbox"/> waived the right to review the order and/or	_____ <input type="checkbox"/> failed to respond to the document
17 Other Party: _____	
18 <input type="checkbox"/> approved the form of this order	_____ <input type="checkbox"/> disapproved the form of this order
19 <input type="checkbox"/> waived the right to review the order and/or	_____ <input type="checkbox"/> failed to respond to the document

21 Submitted by:
22 LEWIS AND ROCA LLP23 By: /s/ John Hinderaker. (AZ #018024)
24 Attorneys for USACM Liquidating Trust

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USACM Trust

Castaic Partners III Loan

Multiple Loan Claims

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Castaic Partners III, LLC Loan
10725-01878	1/8/2007	Raggi, Dennis	Po Box 10475 Zephyr Cove, NV 89448	10,451.54	Unknown
10725-02226	1/12/2007	Raggi, Dennis	Po Box 10475 Zephyr Cove, NV 89448	4,884,068.70	50,000.00
10725-02097	1/11/2007	RGF Revocable Trust	Robert G Fuller Tree 5172 English Daisy Way Las Vegas, NV 89142	487,047.24	90,000.00
10725-01386	11/13/2006	Sinett, Todd & Wendy	11 Cedar Ln Sands Point, NY 11050-1334	100,000.00	50,000.00
10725-02123	1/11/2007	Universal Management Inc A Nevada Corp	8080 Harborview Rd Blaine, WA 98230	1,438,118.00	100,000.00
10725-00961	11/1/2006	Yerushalmi, Mazal	8904 Greensboro Ln Las Vegas, NV 89134-0502	314,598.00	100,000.00

EXHIBIT A